

### **Lay-off Talking Points**

**Lay-Off Letter:** This is your official 75 day lay-off notice. This letter serves as written confirmation of the decision to separate your employment with the Missouri Department of Transportation effective January 31, 2013, due to material changes in the organization, including elimination of some positions. However, your last day to actually work will be November 30, 2012.

**Administrative Leave:** On December 1, 2012, you will be placed on administrative leave. During this time you will continue to receive your current salary and will continue to accrue additional annual leave and sick leave. **(NOTE: for employees who are permanent part-time, the hours are prorated. Please check with your HR representative for the number of hours they will be paid while on administrative leave).** You will also receive retirement creditable service during this period. You will remain on administrative leave through January 31, 2013, and will be laid off effective the end of the day January 31, 2013. You have the option to use accrued annual leave or comp time between now and November 30, if you want to leave the department earlier.

**Please note:** If you obtain employment with another state agency between now and January 31, you will not be able to continue receiving administrative pay. This is because you cannot receive a paycheck from one state agency and collect administrative leave from another at the same time.

**Benefits:** During the time on administrative, leave you will have access to all of the benefits available through the Missouri Career Centers, the Outplacement Resources through ComPsych, and all of the services offered through our Employee Assistance Program provider. I encourage you to take advantage of these benefits. The department's Employee Assistance Program (EAP) continues to be available to you for a period of three months following the layoff date. If you wish to speak to a confidential counselor at ComPsych, the department's EAP provider, please call 1-800-808-2261 prior to April 30, 2013. This information is also in your packet.

**Health Benefits:** The department will continue to pay its share of health insurance coverage for you if you currently receive department-paid insurance. You will continue to have medical benefits throughout the month of January. I encourage you to talk with (your benefits representative) about health insurance coverage options available after that date.

**Unemployment Benefits:** Once you are laid off you may be eligible for unemployment benefits through the Division of Employment Security. I encourage you to apply for them as soon as you can to get the process started. While MoDOT does not make the decision about whether you will receive unemployment benefits, you can be assured that MoDOT will not protest your receipt of any benefits you might otherwise be entitled to.

**(Hand them the packet of materials provided.)** This is a packet of information that contains the information you need regarding the benefits you are eligible for. Once you've reviewed those materials, I would be happy to answer any questions you have; and if I can't answer them, I'll put you in touch with the person who can.

**Transition Issues:** Your supervisor will work with you over the next few weeks to complete the transition of your duties.

You will need to turn in all of your equipment, your employee ID, and keys, etc., by the end of the day November 28 (or sooner if they are taking annual leave or comp time).

**Computer Access:** Your access to the MoDOT computer system will be discontinued when you begin administrative leave. However, you can continue to access your paycheck stubs and deferred compensation information through the employee portal. Instructions on how to do that are included in the packet of information provided.

**Farewell Events:** We want to make your departure as easy as we can for you. We will respect your wishes regarding any farewell event, so please let your supervisor know whether you want to have a farewell event or whether you would prefer that nothing be done; it is totally up to you.

**Personal Items:** Also, work with your supervisor regarding the removal of your personal items. If you would prefer to do that after hours, we can arrange that.

**Following Department Policy:** I also need to remind you that while you are physically separating from the department effective November 30, you are still a MoDOT employee while on administrative leave. As such, MoDOT's personnel policies still apply to you. You might want to review the provisions of Personnel Policy 2500, "Standard Rules of Conduct," specifically the provision that provides that employees shall not engage in conduct that is inconsistent with MoDOT values or behave in a manner that brings or could bring undue criticism toward the department or its employees or operations.

**(The following are Talking points for employees who are in positions that might trigger the Conflict of Interest provisions of Policy 2514).** You should also review the provision in Policy 2514, "Conflict of Interest," in particular those provisions that provide:

- Employees shall avoid any interest or activity which improperly influences or gives the appearance of improperly influencing the performance of their official duties.
- Employees shall not have any monetary interest in, or act as agent for, the sale of road or bridge building material, equipment, tools, machinery or supplies, or in any contract for the construction or maintenance of state highways or bridges.
- Employees shall not be the sales agent in the sale to or purchase by the state, county, or road districts of road tools, culvert, or bridge materials or machinery, or have a monetary interest in any contract for the building of any bridge, culvert, or for the improvement of any public road to which the county or any road district is a party.
- Employees working in the professional fields of engineering, law, or land surveying are prohibited from working outside the department in their professional fields. (See Right of Way manual for outside employment restrictions applicable to all Right of Way employees.)

**Future Employment (For employees whose performance, conduct and attitude history will NOT make them competitive for future openings):** MoDOT does not have a call back program for laid off employees. That means if you are interested in a future position with MoDOT, you will have to apply for positions when we start hiring externally again. However, you have had ample opportunity to compete for jobs throughout the Bolder Five-Year Direction and have not landed a position, so I don't think you will be very competitive for future openings at MoDOT and encourage you to seek employment elsewhere.

**Future Employment (For employees whose performance, conduct, and attitude history will make them competitive for future openings):** MoDOT does not have a call back program for laid off employees. That means if you are interested in a future position with MoDOT, you will have to apply for positions when we start hiring externally again. However, given your performance, conduct, and attitude history, I think you will be competitive for future openings and encourage you to apply when we begin hiring again.